

REMARKS

Claims 1, 2, 5-13, 16-24, 27-35, 38-46 and 49-57 are pending in the present application with claims 6-11, 17-22, 28-33, 39-44 and 50-55 withdrawn. With entry of this Amendment, Applicant amends claims 1, 12, 23, 34 and 45 and cancels the withdrawn claims – claims 6-11, 17-22, 28-33, 39-44 and 50-55 – and claim 57 without prejudice. Reexamination and reconsideration are respectfully requested.

Amendments

Applicant has amended claims 1, 23, 23, 34 and 45 to recite “when *the quality of* the stored content item for an examining purpose is higher than a predetermined level” Applicant has also amended each of the claims to incorporate the recitations of claim 57 with some modifications in order to better claim the invention. Claim 57 has been correspondingly canceled. Finally, Applicant has amended each of these claims to recite “a” stored content item in the penultimate recitation of each claim.

Rejection Under § 112, second paragraph

The Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph, because it was unclear to the Examiner what “when the stored content item for an examining purpose is higher than a predetermined level” means. As the Examiner indicated, the recitation is referring to the quality of the stored content item being higher than a predetermined level. Applicant has amended all the independent claims, as discussed above, to recite “the quality of” Support for this amendment is found in the specification and drawings including, without limitation, at page 15, first full paragraph. This paragraph refers to examining the level of the work in comparison to a predetermined level, so as not to infinitely increase the number of creators. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

The Examiner rejected claim 1 under § 112, second paragraph, because it was unclear to the Examiner what “permitting creator registration” means. The Examiner is correct that the permitting creating registration does not mean that the creator terminal creates a registration.

Rather, it means permitting the creator terminal to register. Once the registration is completed, the create terminal is allowed to request an authoring tool. As discussed above, all the independent claims have been amended to link requesting an authoring tool with when permission for creator registration is given. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Rejection Under § 103(a)

The Examiner rejected claims 1, 2, 12, 13, 23, 24, 34, 35, 45, 46, 56 and 57 under § 103(a) as being anticipated by JP 2000-163488 in view of Iwata (U.S. Patent Pub. No. 2001/0041050) and further in view of Downs et al. (U.S. Patent No. 6,574,609). The Examiner rejected dependent claims 5, 16, 27, 38 and 49 under § 103(a) as being unpatentable in view of JP '488 and Lin et al. (U.S. Patent No. 6,366,791). It is believed that the rejection based on JP '488 and Lin should include Iwata and Downs, given the rejection of the independent claims.

Applicant respectfully submits that Iwata is not prior art. Iwata's filing date, *i.e.*, December 7, 2000, is after the filing date, *i.e.*, July 28, 2000, of the two Japanese applications from which the present application claims priority. Accordingly, Applicant respectfully requests that the rejection of the claims be withdrawn. Pursuant to 37 C.F.R. § 1.55(a)(4), Applicant herewith submits a translation of the priority applications.

Applicant also notes that JP '488 does not disclose the recitations of claim 57 added to each of the independent claims as the Examiner contends. At page 7 of the Office Action, the Examiner cites to paragraphs 0054-0059 of JP '488. However, these paragraphs and the apparently corresponding U.S. Patent No. 6,735,699 at Col. 10, lines 5-36 simply disclose that a creator temporally registers a work, the C-DRC (country digital rights center) issues an identification code for the work and the creator finally registers the work. There is no disclosure in these sections that the C-DRC provides an authoring tool to the creator "when permission for creator registration is given" based on the quality of an examined work.

IDS

It is unclear whether the Examiner has fully considered two information disclosure statements provided by the Applicant.

The first IDS was filed in September 2004. Although the subsequent Office Action on January 30, 2006 indicates that the IDS was considered, the Examiner did not initial all the submitted references. Applicant herewith submits a copy of the submitted IDS, the reference that was not officially considered by the Examiner and a stamped postcard showing receipt of the IDS by the PTO.

The second IDS was filed on March 3, 2006. The present Office Action does not indicate that the Examiner considered it. Applicant herewith submits a copy of the submitted IDS, its accompanying reference and a stamped postcard showing receipt of the IDS by the PTO.

Applicant respectfully requests that the Examiner consider both of these statements.

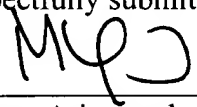
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032027400.

Dated: October 19, 2007

Respectfully submitted,

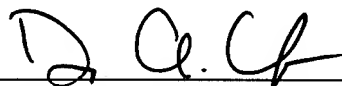
By 
Mehran Arjomand
Registration No.: 48,231
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5200

REMARKS

None of the art cited on the attached PTO Form SB08 is believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over these references.

If any fees are necessary in connection with this document, please charge Deposit Account No. 02-0390, Baker & Daniels.

Respectfully submitted,



Douglas A. Yerkeson, Reg. No. 39,882
Attorney for Applicants

BAKER & DANIELS LLP
300 North Meridian Street
Suite 2700
Indianapolis, IN 46204
Telephone: 317-237-0300
Facsimile: 317-237-1000